

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BIANCA BUCANO,	:	
	:	CIVIL ACTION NO. 3:16-CV-1607
Petitioner,	:	
	:	(CHIEF JUDGE CONNER)
v.	:	(Magistrate Judge Saporito)
	:	
SUPERINTENDENT SMITH,	:	
	:	
Respondent.	:	
	:	

ORDER

AND NOW, THIS 19TH DAY OF NOVEMBER, 2018, IT APPEARING TO
THE COURT THAT:

1. In her habeas corpus action submitted pursuant to 28 U.S.C. § 2254 and docketed on August 4, 2016, Petitioner asserts she was improperly convicted in the Court of Common Pleas of Monroe County, Pennsylvania, on April 12, 2012, for numerous reasons (Doc. 1) ;

2. The matter was assigned to United States Magistrate Judge Joseph F. Saporito, who issued a Report and Recommendation on September 25, 2012, recommending dismissal of the action with prejudice (Doc. 24) ;

3. Neither party has filed objections to the Magistrate Judge's Report and Recommendation and the time for such filing has passed.

IT FURTHER APPEARING TO THE COURT THAT:

1. When a magistrate judge makes a finding or ruling on a motion or issue, his determination should become that of the court unless objections are filed. See *Thomas v. Arn*, 474 U.S. 150-53 (1985). Moreover, when no objections are filed,

the district court is required only to review the record for “clear error” prior to accepting a magistrate judge’s recommendation. See *Cruz v. Chater*, 990 F. Supp. 375-78 (M.D. Pa. 1998); *Oldrati v. Apfel*, 33 F. Supp. 2d 397, 399 (E.D. Pa. 1998).

2. Review of the record reveals no clear error in the Magistrate Judge’s findings and recommendation that the Petition be denied and the Court decline to issue a certificate of appealability (Doc. 24 at 33).

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

1. The Magistrate Judge’s Report and Recommendation (Doc. 24) is ADOPTED;
2. The Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus (Doc. 1) is DENIED;
3. There is no basis for the issuance of a certificate of appealability;
4. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania